



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

November 8, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
AWARD A PUBLIC WORKS CONSTRUCTION CONTRACT AND FIND THE  
SECOND LOWEST BID NON-RESPONSIVE FOR THE  
WHITEMAN AIRPORT IMPROVEMENT PROJECT - AIRCRAFT PARKING RAMP  
CAPITAL PROJECT NO. 67928  
IN THE PACOIMA AREA OF THE CITY OF LOS ANGELES  
(THIRD DISTRICT) (3 VOTES)**

**SUBJECT**

This action is to award a Public Works construction contract for the Whiteman Airport Improvement Project - Aircraft Parking Ramp, Capital Project No. 67928, and authorize the Director of Public Works, or her designee, to execute a contract for work in the Pacoima area of the City of Los Angeles, and find the second lowest bid non-responsive for failure to include a bid guaranty with the bid.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Award and authorize the Director of Public Works, or her designee, to prepare a construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Payment of Labor and Material Bonds, as evidence of required contractor insurances filed by the contractor for Project ID No. APT5067928 – Whiteman Airport Improvement Project - Aircraft Parking Ramp, Capital Project No. 67928, to reconstruct the aircraft parking ramp pavement, in the Pacoima area of the City of Los Angeles, to Sully-Miller Contracting Company, in the amount of \$931,698.

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

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2. Find the second lowest bid, submitted by Mesa Engineering, non-responsive for failure to include a bid guaranty with the bid as provided in the contract documents.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to award this construction contract and authorize the Director of Public Works, or her designee, to execute the contract and establish the effective contract date following receipt of approved Faithful Performance and Payment of Labor and Material Bonds, as evidence of required contractor insurances filed by the contractor for this Project.

On June 7, 2011, Agenda Item 42, your Board instructed the Executive Officer of the Board of Supervisors to advertise the Project for construction bids to be received on July 12, 2011, and authorized the Director of Public Works, or her designee, to award and execute a Consultant Services Agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule and storm water pollution prevention plan for a not-to-exceed fee of \$13,000 funded by existing Project funds.

On July 12, 2011, bids were opened and the apparent Lowest Responsive and Responsible Bidder was Sully-Miller Contracting Company in the amount of \$944,698. Sully-Miller Contracting Company has successfully completed the terms of the Consultant Services Agreement. Therefore, we recommend award of the Whiteman Airport Improvement Project - Aircraft Parking Ramp, Capital Project No. 67928 construction contract to Sully-Miller Contracting Company in the amount of \$931,698, which reflects the low bid amount minus the \$13,000 for the Consultant Services Agreement.

The apparent second lowest bidder, Mesa Engineering, submitted a bid in the amount of \$980,627.99; however, its bid failed to include a bid guaranty. The contract documents, consistent with Public Contract Code Section 20129, require a bidder to submit a bid guaranty with the bid. Therefore, we recommend that Mesa Engineering's bid be found non-responsive, as provided in the contract documents.

Attachment B includes the Project description, the call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also attached, including addenda to the contract specifications for this Project.

The contract specifications require construction to be completed in 100 working days. It is estimated that the work will start in January 2012 and be completed in June 2012.

The recommended construction contract is necessary to execute a Board-directed and approved the Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the Project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding this contract will provide an improved and more accommodating facility for airport customers.

### **FISCAL IMPACT/FINANCING**

This action will have no impact to the County General Fund.

As detailed in the Project Budget Summary in Attachment A, the Project budget of \$1,640,000 includes \$944,698 for construction contract, \$94,470 for change orders, \$60,000 for geotech/soils report and soils testing, \$165,465 for engineering design, \$225,367 for Project inspection, and \$150,000 for Project support services.

The Project is funded by a Federal Aviation Administration (FAA) grant commitment of \$1,558,000, which equates to 95 percent of the total project cost estimate; the California Department of Transportation California Aid-to-Airports Program Matching Funds Grant of \$38,950, which equates to 2.5 percent of the FAA grant amount; and \$43,050 from the Aviation Capital Project Fund. Sufficient appropriation for the Project is available in the Fiscal Year (FY) 2011-12 Capital Project and Refurbishments Budget for a total estimated Project cost of \$1,640,000.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The construction contract will be in the form previously reviewed and approved as to form by County Counsel. The construction contract was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's (CEO) and your Board's requirements.

The award of this contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. This contract contains terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs, Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy

No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; Local Business Enterprise Preference Program, Los Angeles County Code, Chapter 2.2.04; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by each respective contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this Project and are on file with Public Works.

#### **ENVIRONMENTAL DOCUMENTATION**

On June 7, 2011, Agenda Item 42, your Board found this Project to be categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (c) and (n), insofar as it consists of minor alteration of existing facilities, involving negligible expansion of use beyond that previously existing.

### **CONTRACTING PROCESS**

The construction contract was solicited on an open-competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the Faithful Performance and payment bonds filed by the contractor.

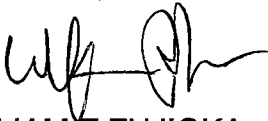
### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the Project is completed, it will have a positive impact by providing an improved and more accommodating facility for airport customers.

### **CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division; and to the Department of Public Works, Construction Division.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RLR:DJT  
SW:VM:zu

Attachments

c: Executive Office, Board of Supervisors  
County Counsel  
Public Works

**ATTACHMENT A**

**WHITEMAN AIRPORT  
AIRCRAFT PARKING RAMP  
PROJECT SCHEDULE AND BUDGET SUMMARY**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Proposed Completion Dates</b>
Advertise for Construction Bids	June 2011
Award Construction Contract	November 2011
Construction Start	January 2012
Final Acceptance	June 2012

**II. PROJECT FUNDING CHART**

<b>Project Budget Category</b>	<b>FAA Grant</b>	<b>CAAP Grant</b>	<b>ACPF</b>	<b>Total Funding</b>
<b>Project Design</b>	\$157,192	\$3,929	\$4,344	\$165,465
<b>Construction</b>				
Construction Contract	897,463	22,437	24,798	944,698
Change Order Contingency	89,746	2,244	2,480	94,470
Material Testing	57,000	1,425	1,575	60,000
<b>County Services</b>				
Project Mgt. / Inspection	214,099	5,352	5,916	225,367
County Administrative Services	142,500	3,563	3,937	150,000
<b>TOTAL</b>	<b>\$1,558,000</b>	<b>\$38,950</b>	<b>\$43,050</b>	<b>\$1,640,000</b>

**III. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Adopted Project Budget</b>	<b>Impact of this Action</b>	<b>Revised Project Budget</b>
<b>Land Acquisition</b>	\$ 0	\$ 0	\$ 0
<b>Construction</b>			
Low-Bid Construction Contract	\$1,166,535	\$-221,837	\$944,698
Job Order Contract	0	0	0
Change Orders	117,000	-22,530	94,470
Departmental Crafts	0	0	0
Youth Employment	0	0	0
Construction Consultants	0	0	0
Misc. Expense	0	0	0
Telecomm Equip – Affixed to Building	0	0	0
Civic Arts*	0	0	0
Subtotal	\$1,283,535	\$-244,367	\$1,039,168
<b>Programming/Development</b>	\$ 0	\$ 0	\$ 0
<b>Plans and Specifications</b>	\$0	\$ 0	\$0
<b>Consultant Services</b>			
Site Planning	\$ 0	\$ 0	\$ 0
Hazardous Materials	0	0	0
Geotech/Soils Report and Soils Testing	0	0	0
Material Testing	20,000	40,000	60,000
Cost Estimating	0	0	0
Topographic Surveys	0	0	0
Construction Management	0	0	0
Construction Administration	0	0	0
Environmental	0	0	0
Move Management	0	0	0
Equipment Planning	0	0	0
Legal	0	0	0
Construction/Change Order	0	0	0
Other: Design Engineering	165,465	0	165,465
Subtotal	\$ 185,465	\$ 40,000	\$ 225,465
<b>Miscellaneous Expenditures</b>	\$ 0	\$ 0	\$ 0
<b>Jurisdictional Review/Plan Check/Permit</b>	\$ 0	\$ 0	\$ 0
<b>County Services</b>			
Code Compliance Inspection	\$ 0	\$ 0	\$ 0
Quality Control Inspection	0	0	0
Design Review	0	0	0
Design Services	0	0	0
Contract Administration	0	0	0
Project Management / Inspection	121,000	104,367	225,367
Project Management Support Services	50,000	50,000	100,000
ISD Job Order Contract Management	0	0	0
DPW Job Order Contract Management	0	0	0
ISD ITS Communications	0	0	0
Project Security	0	0	0
Project Technical Support	0	0	0
Office of Affirmative Action	0	0	0
County Counsel	0	0	0
Other:	0	0	0
DPW Survey Services	0	50,000	50,000
Subtotal	\$ 171,000	\$ 204,367	\$ 375,367
<b>TOTAL</b>	<b>\$ 1,640,000</b>	<b>\$ 0</b>	<b>\$ 1,640,000</b>

## ATTACHMENT B

### AWARD OF CONTRACT

November 8, 2011

PROJECT ID NO. APT5067928 – Whiteman Airport Improvement Project - Aircraft Parking Ramp, Capital Project No. 67928 (in the Pacoima area of the City of Los Angeles), Supervisorial District 3

TYPE OF WORK: Reconstruction of aircraft parking ramp pavement.

CALL FOR BIDS DATE: June 7, 2011 (Agenda Item 42)

BID OPENING DATE: July 12, 2011

#### BID SUMMARY:

Low	Sully-Miller Contracting Company 135 South State College Boulevard, Suite 400 Brea, California 92821 (714) 578-9600	\$ 944,698.00
2	Griffith Company	\$1,070,567.69
3	Granite Construction Company	\$1,108,020.00
4	Triangle Enterprises, Inc.	\$1,110,289.25
5	M.S. Construction Management Group	\$1,164,786.80
6	Excel Paving Company	\$1,196,530.00
7	Western Group, Inc.	\$1,441,165.60

Mesa Engineering submitted a bid in the amount of \$980,627.99; however, its bid failed to include a fully executed bid bond. Therefore, its bid was considered nonresponsive and rejected as provided in the contract documents.

#### FINANCIAL INFORMATION:

Amount of estimate including the Consultant Services Agreement	\$1,281,996.50
Amount of Consultant Services Agreement	\$ 13,000.00
Amount of recommended contract**	\$ 931,698.00
Amount of recommended contract and Consultant Services Agreement below estimate	\$ 337,298.50



The amount of recommended contract including the Consultant Services Agreement is 26 percent below the estimate.

**\*\*On June 7, 2011, Agenda Item 42, your Board authorized the Director of Public Works or her designee to award and execute a Consultant Services Agreement with the apparent responsible contractor with the lowest responsive bid to prepare baseline construction schedule and storm water pollution plan for \$13,000. The amount of the recommended contract award of \$931,698 represents the amount of the lowest responsive bid with the cost of the Consultant Services Agreement subtracted from it.**

This project is funded by a Federal Aviation Administration (FAA) grant commitment of \$1,558,000, which equates to 95 percent of the total project cost estimate; the California Department of Transportation California Aid-to-Airports Program Matching Funds Grant of \$38,950, which equates to 2.5 percent of the FAA grant amount; and \$43,050 from the Aviation Capital Project Fund. Sufficient appropriation for the project is available in the Fiscal Year 2011-12 Capital Project and Refurbishments Budget for a total estimated project cost of \$1,640,000.

**MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:**

Sully-Miller Contracting Company has one MWBE subcontractor/supplier under this contract, yielding a proposed MWBE participation of 3 percent.

**ENVIRONMENTAL IMPACT:**

On June 7, 2011, Agenda Item 42, your Board found this project categorically exempt from the provisions of the California Environmental Quality Act.

**CONSTRUCTION SCHEDULE:**

The contract specifications require the work to be completed in 100 working days. It is estimated that the work will start in January 2012 and be completed in June 2012.